

Attorney Docket No. 135937 (GECZ 2 00690)
Response to Office Action dated May 4, 2005

REMARKS

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of May 4, 2005.

Claim 1-23 and 30 were allowed, which is gratefully acknowledged.

Claims 1-23 were objected to because of certain informalities regarding independent claims 1 and 22. These informalities have been addressed in the amendments to the claims. The Examiner's assistance in identifying these minor discrepancies is appreciated.

In this response, Applicants amended selected claims to provide a more complete scope of protection for the invention and present clarifying remarks believed to remedy the Examiner's rejections and place the claims in condition for allowance.

Reexamination and reconsideration are respectfully requested

I. Claim Rejections

Claims 24-25 and 27 were rejected under 35 U.S.C. §102(b) as being anticipated by EP 000296535 A2 to Fohl et al. ("Fohl"). Claims 26 and 28-29 were rejected under 35 U.S.C. §103(a) as being unpatentable over by Fohl in view of U.S. Patent No. 5,294,867 to Grossman ("Grossman").

With respect to independent claim 24, Applicants respectfully submit that the subject matter differs from the art taught in Fohl. Claim 24, as amended, calls for a discharge vessel for a dielectric barrier discharge lamp, the discharge vessel enclosing a sealed discharge volume filled with discharge gas. The discharge vessel comprises an outer tubular portion having an internal surface and an inner tubular portion having an outward surface. The inner tubular portion surrounds at least one associated electrode. The outer tubular portion surrounds the inner tubular portion and the sealed discharge volume is enclosed between the internal surface of the outer tubular portion and the outward surface of the inner tubular portion.

Conversely, Fohl discloses, in Figs. 1 and 2, an arc discharge lamp 10 including a sealed envelope 12 containing an ionizable medium. A pair of electrodes 14, 16 is located within the envelope for generating an arc discharge therebetween during operation of discharge lamp. The envelope includes first and second longitudinally extending leg members 28 and 30, respectively. Also included with the envelope is a

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transversely extending envelope portion 32 joining the first and second longitudinally extending leg members to form a continuous passage therethrough for the arc discharge. A phosphor layer 26 is disposed on substantially the entire internal circumference of the leg members. (Page 5, lines 29-58; page 6, lines 1-23).

As is evident from the disclosure of Fohl, the electrodes are disposed within the envelope, each electrode being surrounded by the entire internal circumference of each respective leg members. Thus, Fohl fails to teach or show the electrodes being external to the envelope. Even assuming, arguendo, that the Examiner's position is correct, to wit, that Fohl discloses an envelope comprising an outer tubular portion surrounding an inner tubular portion, each electrode of Fohl would be enclosed between an internal surface of the outer tubular portion and an outward surface of the inner tubular portion. Accordingly, no inner tubular portion surrounding at least one associated electrode is shown.

The Examiner's interpretation of Fohl is not a fair interpretation. The amendment to claim 24 was not necessary to define over Fohl; rather, the amendment provides a more direct correlation between the specification description and the claimed subject matter. Accordingly, claim 24, as amended, and claims 25-29 dependent therefrom define over Fohl, whether it is considered on its own under §§ 102 or 103, or in combination with any of the remaining art of record.

CONCLUSION

For the reasons detailed above, it is respectfully submitted that all claims remaining in the application (Claims 1-30) are now in condition for allowance.

No additional fee is believed to be required for this Amendment. If, however, a fee is due, the Commissioner is authorized to charge our Deposit Account No. 06-0308.

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In the event the Examiner believes a telephone call would expedite prosecution,
he is invited to call the undersigned.

Respectfully submitted,

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Date: 03 August, 2005

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CERTIFICATE OF MAILING

Under 37 C.F.R. § 1.8, I certify that this Amendment is being
☐ deposited with the United States Postal Service as First Class mail, addressed to: MAIL STOP
AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date
indicated below.
☒ transmitted via facsimile in accordance with 37 C.F.R. § 1.8 on the date indicated below.
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Express Mail Label No.:	Signature <u>Nancy M. Grams</u>
Date <u>08-03-05</u>	Printed Name Nancy M. Grams

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EXHIBIT B

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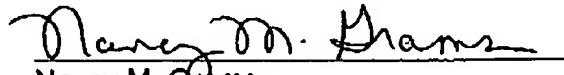
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Lajos Reich, et al.
FOR : DIELECTRIC BARRIER DISCHARGE
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STATEMENT OF NANCY M. GRAMS

I, Nancy M. Grams, attest on the basis of personal knowledge, that a Response to the Office Action mailed May 04, 2005, in the form of an Amendment and Amendment Transmittal Letter, was filed in a timely manner, as evidenced from the attached Transmission Result Report. Further, I attest that I transmitted the referenced Amendment documents to the Patent and Trademark Office, , at Centralized Facsimile No. 571-273-8300 on August 03, 2005.


Nancy M. Grams

12-20-05
Date

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